

REMARKS

Claims 10-12, 17-20 and 23-27 are pending in the present application. Claims 10-12 and 17-20 have been amended. Claims 23-27 have been presented herewith. Claims 9, 13-16, 21 and 22 have been canceled.

Priority Under 35 U.S.C. 119

Applicant notes the Examiner's acknowledgment of the Claim for Priority under 35 U.S.C. 119, and receipt of the certified copy of the priority document in parent application Serial No. 09/276,804.

Double Patenting

Claims 9, 11-13 and 15-22 have been rejected under 35 U.S.C. 101 as allegedly claiming the same invention as that of claims 1-12 of prior U.S. Patent No. 6,665,576. This is a double patenting rejection. This rejection is respectfully traversed for the following reasons.

Applicant respectfully submits that the double patenting rejection is improper, because claims 9 and 13 as presented in the Preliminary Amendment as filed along with the present application on November 14, 2003, are not the "same invention" as respective claims 1 and 4 of U.S. Patent No. 6,665,576. Particularly, claims 9 and 13 of the present application are each respectively a method of controlling semiconductor manufacturing equipment.

In contrast, claims 1 and 4 of U.S. Patent No. 6,665,576 are respectively a method of controlling semiconductor manufacturing equipment *used to manufacture a semiconductor wafer*. Each of claims 1 and 3 of U.S. Patent No. 6,665,576 include in combination "sampling a plurality of sample data of at least one parameter which represents a manufacturing condition for obtaining a semiconductor wafer..."

Although Applicant does not necessarily concede that this rejection is proper, independent claims 9 and 13 have been canceled. Independent claim 23 as presented herewith includes in combination "generating a correlation matrix based on the plurality of data". Applicant respectfully submits that claim 23 as pending is not the same invention as the claims of U.S. Patent No. 6,665,576. Accordingly, the Examiner is respectfully requested to withdraw this rejection for at least these reasons.

Claim Objections

Claims 10 and 14 have been objected to. The Examiner has asserted that the dependency of the claims is unclear. Claim 10 as amended features: "A semiconductor device produced in accordance with the method of claim 23." Applicant respectfully submits that claim 10 should be considered acceptable (see Manual of Patent Examining Procedure section 2173.05(f)). The Examiner is therefore respectfully requested to withdraw this objection.

Conclusion

The Examiner is respectfully requested to reconsider and withdraw the corresponding rejection and objection, and to pass the claims of the present application to issue, for at least the above reasons.

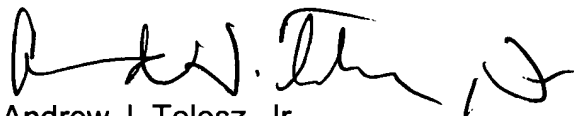
In the event that there are any outstanding matters remaining in the present application, please contact Andrew J. Telesz, Jr. (Reg. No. 33,581) at (571) 283-0720 in the Washington, D.C. area, to discuss these matters.

Pursuant to the provisions of 37 C.F.R. 1.17 and 1.136(a), the Applicant hereby petition for an extension of two (2) months to October 12, 2005, for the period in which to file a response to the outstanding Office Action. The required fee of \$450.00 should be charged to Deposit Account No. 50-0238.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment for any additional fees that may be required, or credit any overpayment, to Deposit Account No. 50-0238.

Respectfully submitted,

VOLENTINE FRANCOS & WHITT, P.L.L.C.

A handwritten signature in black ink, appearing to read 'A. J. Telesz, Jr.', followed by a stylized flourish.

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